

EXHIBIT B

Maria A. Abadi, M.D.

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

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IN RE: ETHICON, INC.,) Master File No.
PELVIC REPAIR SYSTEM PRODUCTS) 2:12-MD-02327
LIABILITY LITIGATION)
) MDL-2327
-----)
THIS DOCUMENT RELATES TO THE)
FOLLOWING CASES IN WAVE 1 OF) JOSEPH R. GOODWIN
MDL 200:) U.S. DISTRICT JUDGE
)
)
JULIE WROBLE) Civil Action No.
Plaintiff) 2:12-cv-00883
vs.)
)
ETHICON, INC., ET AL.)
Defendant.)
)
-----X

DEPOSITION OF MARIA A. ABADI, M.D.

New York, New York

March 29, 2016

Reported by:

MARY F. BOWMAN, RPR, CRR

Maria A. Abadi, M.D.

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<p>1 March 29, 2016</p> <p>2 1:10 p.m.</p> <p>3</p> <p>4</p> <p>5 Deposition of MARIA A. ABADI,</p> <p>6 M.D., held at the offices of Butler Snow,</p> <p>7 LLP, 1700 Broadway, New York, New York,</p> <p>8 before Mary F. Bowman, a Registered</p> <p>9 Professional Reporter, Certified Realtime</p> <p>10 Reporter, and Notary Public of the State of</p> <p>11 New Jersey.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>1 (Exhibit 1, expert report of</p> <p>2 Maria Abadi marked for identification,</p> <p>3 as of this date.)</p> <p>4 (Exhibit 2, curriculum vitae of</p> <p>5 Maria Abadi marked for identification,</p> <p>6 as of this date.)</p> <p>7 (Exhibit 3, list of depositions</p> <p>8 and trials marked for identification,</p> <p>9 as of this date.)</p> <p>10 (Exhibit 4, Supplemental Reliance</p> <p>11 List in Addition to Materials Provided</p> <p>12 in Report marked for identification, as</p> <p>13 of this date.)</p> <p>14 MARIA A. ABADI,</p> <p>15 called as a witness by the plaintiffs,</p> <p>16 having been duly sworn, testified as</p> <p>17 follows:</p> <p>18 EXAMINATION BY</p> <p>19 MR. PERDUE:</p> <p>20 Q. Would you state your name for us.</p> <p>21 A. Maria A. Abadi.</p> <p>22 Q. Dr. Abadi, you are a pathologist?</p> <p>23 A. I am.</p> <p>24 Q. And you have worked in the field</p>
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<p>1 APPEARANCES:</p> <p>2</p> <p>3 PERDUE & KIDD</p> <p>4 Attorneys for Plaintiffs</p> <p>5 510 Bering Drive, Suite 550</p> <p>6 Houston, TX 77057</p> <p>7 BY: JIM M. PERDUE, JR., ESQ.</p> <p>8</p> <p>9</p> <p>10</p> <p>11 THOMAS, COMBS & SPANN, ESQS.</p> <p>12 Attorneys for Defense Ethicon</p> <p>13 300 Summers Street, Suite 1380</p> <p>14 Charleston, West Virginia 25301</p> <p>15 BY: PHILIP COMBS, ESQ.</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p>1 of pathology since obtaining your license</p> <p>2 to practice medicine in the State of New</p> <p>3 York?</p> <p>4 A. Correct, yes.</p> <p>5 Q. Your current practice is in the</p> <p>6 Bronx, as I understand it?</p> <p>7 A. Yes, it is.</p> <p>8 Q. And you have been in the practice</p> <p>9 of pathology in the Bronx since 1998?</p> <p>10 A. 1997.</p> <p>11 Q. Specifically, you are at the</p> <p>12 Jacobi Medical Center in the Bronx?</p> <p>13 A. Yes, correct.</p> <p>14 Q. And that's where you have been</p> <p>15 since 1997.</p> <p>16 A. Yes.</p> <p>17 Q. You began work there as a</p> <p>18 surgical pathology and cytopathology</p> <p>19 specialist?</p> <p>20 A. Yes, um-hm.</p> <p>21 Q. In the subspecialty of those</p> <p>22 fields, correct?</p> <p>23 A. Correct, yes.</p> <p>24 Q. And you have continued, as I</p>

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<p>1 that.</p> <p>2 Q. You got under the wire in 1996?</p> <p>3 A. Yes. I think it was around that</p> <p>4 time, I think a little bit later, that the</p> <p>5 American Board of Pathology decided to</p> <p>6 change that.</p> <p>7 Q. So you have not engaged to be</p> <p>8 recertified in anatomic pathology?</p> <p>9 A. Right.</p> <p>10 Q. You took the test in '96 and have</p> <p>11 not taken it again?</p> <p>12 A. Yes.</p> <p>13 Q. Then you list board certified in</p> <p>14 cytopathology, which you got in 1997, and I</p> <p>15 don't know if there is a recertification.</p> <p>16 A. Right now, there is. The same</p> <p>17 thing happened with cytopathology.</p> <p>18 Q. You got in under the wire for</p> <p>19 that one as well?</p> <p>20 A. Yes. That means I'm old.</p> <p>21 Q. No, it doesn't. It means you</p> <p>22 took the test a while ago.</p> <p>23 Do you know if there is any</p> <p>24 effort to address, amongst the college,</p>	<p>1 Q. I did not see it, Dr. Abadi. Are</p> <p>2 there any publications that you have</p> <p>3 participated in in the past that are</p> <p>4 related to the issue of host tissue</p> <p>5 response and a foreign material?</p> <p>6 A. No.</p> <p>7 Q. Are there -- you have never</p> <p>8 written regarding the female body's host</p> <p>9 tissue response to a foreign material of</p> <p>10 any kind, fair?</p> <p>11 A. Fair.</p> <p>12 Q. You have never studied the</p> <p>13 foreign body -- response in a female to a</p> <p>14 foreign material of any kind, fair?</p> <p>15 MR. COMBS: Object to form.</p> <p>16 A. Yes, no.</p> <p>17 Q. And specifically, you have never</p> <p>18 written anything before your report in this</p> <p>19 case regarding the female body's response</p> <p>20 to polypropylene mesh?</p> <p>21 A. That is correct.</p> <p>22 Q. And you have never published any</p> <p>23 type of study or article regarding the</p> <p>24 female pathologic response to polypropylene</p>
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<p>1 making recertification mandatory?</p> <p>2 A. No. Not that I know of. The way</p> <p>3 they have approached this issue is by doing</p> <p>4 continuing medical education. So we need</p> <p>5 to take proficiency tests, which I do every</p> <p>6 year.</p> <p>7 Q. Is that through your facility or</p> <p>8 through the college?</p> <p>9 A. No, through the college, American</p> <p>10 Pathologists.</p> <p>11 Q. You have some what you describe</p> <p>12 as communications in reviewed journals?</p> <p>13 A. That is correct.</p> <p>14 Q. And that is a list of, as I read</p> <p>15 it, 28 articles?</p> <p>16 A. Correct.</p> <p>17 Q. Are those articles that were</p> <p>18 submitted for peer review?</p> <p>19 A. Yes.</p> <p>20 Q. These date back then to '96 and</p> <p>21 continue up until -- the last one on here</p> <p>22 is regarding mesenchymal breast lesions,</p> <p>23 which is in press.</p> <p>24 A. Yes.</p>	<p>1 mesh?</p> <p>2 A. That is correct.</p> <p>3 Q. You have not, before this</p> <p>4 litigation, ever conducted any personal</p> <p>5 study of the female host tissue response to</p> <p>6 polypropylene mesh?</p> <p>7 A. That is correct.</p> <p>8 Q. I saw on the hospital website</p> <p>9 that one of your areas of interest is HPV.</p> <p>10 Would you consider that one of your areas</p> <p>11 of interest?</p> <p>12 A. Yes. That has been an area of</p> <p>13 interest, yeah.</p> <p>14 Q. Any other specific subareas of</p> <p>15 your practice that you would list as an</p> <p>16 area of interest?</p> <p>17 A. I have interest in genetic</p> <p>18 conditions, Lynch syndrome, for example.</p> <p>19 Q. Lynch syndrome?</p> <p>20 A. Lynch syndrome.</p> <p>21 I have done collaborative</p> <p>22 research with the people across the street,</p> <p>23 meaning the medical school, in terms of</p> <p>24 tissue reaction, but not to foreign</p>

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<p>1 material, but to bacteria.</p> <p>2 Q. So fair to say that not even in a</p> <p>3 special area of study or interest has the</p> <p>4 issue of foreign body reaction of human</p> <p>5 tissue to an implant, that has never been</p> <p>6 an area of special interest for you?</p> <p>7 A. No. I have studied tissue</p> <p>8 reaction to infections.</p> <p>9 Q. How much personal experience do</p> <p>10 you have with pathology samples coming to</p> <p>11 you of which the requisition for</p> <p>12 pathological review lets you know that it</p> <p>13 is excised mesh from the female body?</p> <p>14 A. OK. We have a very active</p> <p>15 urogyne service, surgical service, so we do</p> <p>16 receive meshes. Not many a year. A couple</p> <p>17 a year.</p> <p>18 We also receive several hernia</p> <p>19 meshes as well and different foreign bodies</p> <p>20 from different sites.</p> <p>21 So I do have experience with</p> <p>22 foreign body material in surgical</p> <p>23 pathology, because we are a level one</p> <p>24 trauma center and we get a lot of foreign</p>	<p>1 accurate?</p> <p>2 A. That is accurate.</p> <p>3 Q. Your personal experience with</p> <p>4 interpreting pathological samples that come</p> <p>5 to you from a surgeon excising mesh, as</p> <p>6 you, I think, have just said, is a couple</p> <p>7 of years. Is that accurate?</p> <p>8 A. That is correct.</p> <p>9 Q. Are we talking two or three a</p> <p>10 year?</p> <p>11 A. Yes, about that.</p> <p>12 Q. Would that be true for the last</p> <p>13 dozen years?</p> <p>14 A. Yes, it would be true back for</p> <p>15 the last decade.</p> <p>16 Q. For the last decade, you would</p> <p>17 see approximately two or three excised mesh</p> <p>18 samples on an annual basis?</p> <p>19 A. Yes.</p> <p>20 Q. That's your personal experience</p> <p>21 world?</p> <p>22 A. Yes, outside the litigation part.</p> <p>23 Q. In that personal experience, when</p> <p>24 a mesh sample comes to you, as a</p>
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<p>1 bodies.</p> <p>2 Q. Specifically you understand that</p> <p>3 you are here in litigation involving</p> <p>4 Ethicon's Prolene Soft Mesh?</p> <p>5 A. I do understand that.</p> <p>6 Q. As I understand it, the opinions</p> <p>7 that you have offered through your written</p> <p>8 report are specifically limited to products</p> <p>9 that would include as a component part</p> <p>10 Prolene Soft Mesh.</p> <p>11 A. That is correct.</p> <p>12 Q. You understand there are</p> <p>13 different manufacturers of polypropylene</p> <p>14 mesh for female incontinence or pelvic</p> <p>15 organ prolapse?</p> <p>16 A. Yes, I understand that.</p> <p>17 Q. You understand that there are</p> <p>18 different constructions of mesh for those</p> <p>19 products by Ethicon or by others?</p> <p>20 A. Yes, I do understand that.</p> <p>21 Q. So specifically, your report</p> <p>22 identifies that you are offering opinions</p> <p>23 limited to and specific to Ethicon's</p> <p>24 Prolene Soft Mesh, as I read it. Is that</p>	<p>1 pathologist in the pathology lab, is it</p> <p>2 fair to say you have no idea who the</p> <p>3 manufacturer of the mesh is?</p> <p>4 A. Yes. We don't know all the time</p> <p>5 what the manufacturer is.</p> <p>6 Q. A pathology requisition form that</p> <p>7 comes out of a surgical suite just tells</p> <p>8 you the surgery has been excision of mesh,</p> <p>9 correct?</p> <p>10 A. Yes, that is correct.</p> <p>11 Q. When you look at pathology as a</p> <p>12 cut of tissue under a microscope, you don't</p> <p>13 know if that sample involves Ethicon's</p> <p>14 Prolene mesh, AMS's mesh, Boston Scientific</p> <p>15 mesh, correct?</p> <p>16 A. Correct.</p> <p>17 Q. So fair to say that it would be</p> <p>18 impossible for you to estimate your</p> <p>19 personal experience with pathological</p> <p>20 review of excised Ethicon mesh?</p> <p>21 A. Could you repeat that? I'm</p> <p>22 sorry.</p> <p>23 Q. It is impossible for you to tell</p> <p>24 us what your personal experience is with</p>

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<p>1 pathological review of excised Prolene Soft</p> <p>2 Mesh?</p> <p>3 A. Correct.</p> <p>4 Q. You would have no idea what that</p> <p>5 number is, fair?</p> <p>6 A. That is correct.</p> <p>7 Q. It would be some fraction of a</p> <p>8 handful a year for the past decade, fair?</p> <p>9 A. Yes.</p> <p>10 Q. So if we did two or three a year</p> <p>11 for ten years, 20 to 30, the number of</p> <p>12 those that might be Prolene Soft, you</p> <p>13 couldn't tell us, true?</p> <p>14 A. Yes, true.</p> <p>15 Q. And if there was a number of any</p> <p>16 of those that are Prolene Soft, you would</p> <p>17 have no idea what it is, correct?</p> <p>18 A. Yes.</p> <p>19 Q. But it would be a fraction, it</p> <p>20 would be some portion of 20 to 30 at best,</p> <p>21 correct?</p> <p>22 A. Yes, that is correct.</p> <p>23 Q. There are abstracts on your CV,</p> <p>24 and I -- so there is an abstract of the</p>	<p>1 A. No.</p> <p>2 Q. Likewise, I would assume just</p> <p>3 from a pathology standpoint, you have never</p> <p>4 looked at any pathology perspective on</p> <p>5 repair of SUI or POP using something other</p> <p>6 than polypropylene mesh?</p> <p>7 A. I didn't understand the question,</p> <p>8 I'm sorry.</p> <p>9 Q. You have never studied,</p> <p>10 published, written on, for example,</p> <p>11 pathological diagnoses that may -- you may</p> <p>12 encounter for somebody who had a native</p> <p>13 tissue repair?</p> <p>14 A. Right, I haven't written about</p> <p>15 that.</p> <p>16 Q. So something where a female</p> <p>17 diagnosis of SUI or POP was treated with</p> <p>18 something other than polypropylene mesh.</p> <p>19 A. Polypropylene mesh, yes.</p> <p>20 Q. Does that make sense now?</p> <p>21 A. Yes, it does.</p> <p>22 Q. You have never studied or written</p> <p>23 on that either?</p> <p>24 A. Yes. No, I haven't.</p>
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<p>1 medical lit publication that gives you a</p> <p>2 summary, and then there are abstracts that</p> <p>3 are considered poster presentations or --</p> <p>4 A. Yes. Oral presentations, yes.</p> <p>5 Q. So these abstracts, are these</p> <p>6 presentations in which you participated</p> <p>7 over time at different events?</p> <p>8 A. Yes.</p> <p>9 Q. And that's just what you call an</p> <p>10 abstract?</p> <p>11 A. Yes.</p> <p>12 Q. Again, none of these</p> <p>13 presentations on this list of abstracts</p> <p>14 relate in any way to foreign body reaction</p> <p>15 or host tissue response to a foreign body?</p> <p>16 A. That is correct.</p> <p>17 Q. You do not have any current</p> <p>18 research on foreign body response to</p> <p>19 polypropylene mesh in the female body?</p> <p>20 A. No.</p> <p>21 Q. You have not written any</p> <p>22 peer-reviewed journal article on foreign</p> <p>23 body response to polypropylene mesh in the</p> <p>24 female body?</p>	<p>1 Q. So as far as the comparison</p> <p>2 between the two, what may be the host</p> <p>3 tissue response for non-polypropylene mesh</p> <p>4 versus polypropylene mesh, again, is not</p> <p>5 something that you have studied or written</p> <p>6 on, fair?</p> <p>7 A. Correct.</p> <p>8 Q. By way of your CV that we have</p> <p>9 looked at, we can agree that you have no</p> <p>10 experience or training in polymer</p> <p>11 chemistry?</p> <p>12 A. Yes.</p> <p>13 Q. You are not in a -- any form or</p> <p>14 fashion, an expert in polypropylene?</p> <p>15 A. No, I am not.</p> <p>16 Q. You have never done laboratory</p> <p>17 research on polypropylene?</p> <p>18 A. I have not.</p> <p>19 Q. You have never done any bench</p> <p>20 testing on polypropylene products?</p> <p>21 A. No, I haven't.</p> <p>22 Q. There is a field of specialty</p> <p>23 called biomaterials. Have you ever heard</p> <p>24 of that?</p>

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<p>1 diagnose lung cancer.</p> <p>2 Q. OK. And who retained you in that</p> <p>3 case?</p> <p>4 A. The plaintiff.</p> <p>5 Q. As we go through the list, the</p> <p>6 first one and last one were on behalf of</p> <p>7 plaintiffs, and the other eight were on</p> <p>8 behalf of the defendants?</p> <p>9 A. That is correct.</p> <p>10 Q. Is this your first deposition in</p> <p>11 a product liability matter?</p> <p>12 A. Yes, it is.</p> <p>13 Q. Have you ever worked for Ethicon</p> <p>14 before this litigation?</p> <p>15 A. No.</p> <p>16 Q. Have you ever had a consulting</p> <p>17 contract with their product line or</p> <p>18 anything like that?</p> <p>19 A. No.</p> <p>20 Q. How did Ethicon get in touch with</p> <p>21 you?</p> <p>22 A. It was through Dr. Factor.</p> <p>23 Q. Dr. Factor, you have identified</p> <p>24 earlier, was a physician who I understand</p>	<p>1 department, in the hierarchy of the</p> <p>2 hospital, is he above you?</p> <p>3 A. Yes, he is.</p> <p>4 Q. So I assume you collaborate with</p> <p>5 him on administrative issues regularly?</p> <p>6 A. Yes, we do.</p> <p>7 Q. You interact with him on a weekly</p> <p>8 basis?</p> <p>9 A. Yes.</p> <p>10 Q. If not daily?</p> <p>11 A. Yes, daily.</p> <p>12 Q. Is there a scenario where</p> <p>13 Dr. Factor could be on a case issuing an</p> <p>14 opinion and you could be on the opposite</p> <p>15 side from him?</p> <p>16 A. Oh, yes, that has happened.</p> <p>17 Q. Really? When is that?</p> <p>18 A. Not long ago there was a case</p> <p>19 where he was in one side and I was the</p> <p>20 other. I don't recall the name of the</p> <p>21 case, but --</p> <p>22 Q. Is it on this list?</p> <p>23 A. No, it's not, because it didn't</p> <p>24 have a dep- -- you know, in New York we</p>
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<p>1 you worked under when you first came to</p> <p>2 America?</p> <p>3 A. And I still do.</p> <p>4 Q. I was going to move you up on the</p> <p>5 hierarchy.</p> <p>6 MR. COMBS: She is now the</p> <p>7 director of the lab, but he is the</p> <p>8 chairman.</p> <p>9 Q. He is the chair.</p> <p>10 A. He is the chair.</p> <p>11 Q. So Dr. Factor, you understand, is</p> <p>12 an expert and has served as an expert on</p> <p>13 behalf of Ethicon?</p> <p>14 A. Correct.</p> <p>15 Q. And at some point in time, you</p> <p>16 understand Dr. Factor gave Ethicon's</p> <p>17 attorneys your name to also serve as an</p> <p>18 expert on behalf of Ethicon?</p> <p>19 A. Yes.</p> <p>20 Q. And Dr. Factor, is he your</p> <p>21 supervisor?</p> <p>22 A. He is my chairman.</p> <p>23 Q. He is your chairman.</p> <p>24 And so as the director of the</p>	<p>1 don't have depositions for medical-legal</p> <p>2 cases. So if it is a New York case, it</p> <p>3 could be -- or if it is -- there are some</p> <p>4 times when they don't take the depositions</p> <p>5 of pathologists, if it is an outside.</p> <p>6 Q. So we have a list of ten</p> <p>7 depositions and trials that you were kind</p> <p>8 enough to provide. Have these all occurred</p> <p>9 in the last five years?</p> <p>10 A. Yeah, four years.</p> <p>11 Q. Last four years?</p> <p>12 A. Yes.</p> <p>13 Q. How many depositions do you think</p> <p>14 you have given?</p> <p>15 A. I would add to this probably four</p> <p>16 more maybe, to this list.</p> <p>17 Q. To this list. So total in the</p> <p>18 time you have been practicing in the United</p> <p>19 States of America, 14?</p> <p>20 A. Yeah. I would think that less</p> <p>21 than that. For depositions.</p> <p>22 Q. And then there are trials on this</p> <p>23 list. Are there trial testimony in your</p> <p>24 past in addition to what's on this list?</p>

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<p>1 the host tissue response to Prolene Mesh?</p> <p>2 A. Yes. I was sent several articles</p> <p>3 talking about the different reactions to</p> <p>4 the different types of meshes that include</p> <p>5 Prolene.</p> <p>6 Q. The report that you are issuing,</p> <p>7 on this general report, as it says on</p> <p>8 page 1, related to Wave 1, specifies that</p> <p>9 it is applicable to Ethicon meshes made of</p> <p>10 Prolene Soft Mesh, correct?</p> <p>11 A. Yes.</p> <p>12 Q. The report does not intend to be</p> <p>13 Dr. Abadi's opinions regarding host tissue</p> <p>14 response to Prolene Mesh?</p> <p>15 A. Correct.</p> <p>16 Q. Only to Prolene Soft Mesh?</p> <p>17 A. Right.</p> <p>18 Q. And you --</p> <p>19 A. I'm sorry. Even though the</p> <p>20 material is polypropylene.</p> <p>21 Q. So -- and that's what I am trying</p> <p>22 to understand right now.</p> <p>23 A. Yes, correct.</p> <p>24 Q. You understand different meshes</p>	<p>1 based upon your personal review of five</p> <p>2 cases of explanted materials of women who</p> <p>3 were implanted with Prolene Soft Mesh?</p> <p>4 A. Yes.</p> <p>5 Q. And that was the samples that</p> <p>6 were provided to you and you have</p> <p>7 personally reviewed that you knew the</p> <p>8 pathology was related or was sourced by</p> <p>9 Prolene Soft?</p> <p>10 A. Yes.</p> <p>11 Q. Your personal experience, you</p> <p>12 don't know if you have had any personal</p> <p>13 experience with looking at pathology</p> <p>14 samples of Prolene Soft Mesh, correct?</p> <p>15 MR. COMBS: Object to form.</p> <p>16 A. Right. Well, I -- I don't -- I</p> <p>17 didn't understand that last part, but in</p> <p>18 regard to this, to your observations, yes.</p> <p>19 The cases that I reviewed were provided by</p> <p>20 Ethicon, and then yes, they were Prolene</p> <p>21 Soft Mesh.</p> <p>22 Q. So the basis for your opinions</p> <p>23 regarding the host tissue response to</p> <p>24 Ethicon mesh is based on your personal</p>
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<p>1 may have different properties?</p> <p>2 A. Yes.</p> <p>3 Q. They can have different pore</p> <p>4 sizes?</p> <p>5 A. Correct.</p> <p>6 Q. They can have different weave</p> <p>7 patterns?</p> <p>8 A. Yes.</p> <p>9 Q. They can have different thickness</p> <p>10 or weight?</p> <p>11 A. Yes.</p> <p>12 Q. And the final product may have</p> <p>13 different shapes, correct?</p> <p>14 A. Yes.</p> <p>15 Q. Are your opinions that are laid</p> <p>16 out in your report opinions based on the</p> <p>17 host tissue response to polypropylene mesh</p> <p>18 in general?</p> <p>19 A. Well, the tissue samples that I</p> <p>20 reviewed were from cases that used Prolene</p> <p>21 Soft Mesh, and therefore, my opinions are</p> <p>22 based on that.</p> <p>23 Q. So the opinions that you have</p> <p>24 regarding the host tissue response are</p>	<p>1 review of five explanted materials that</p> <p>2 were specifically Prolene Soft Mesh.</p> <p>3 A. Yes.</p> <p>4 Q. The -- if you turn to page 13 of</p> <p>5 your report, the final conclusion you make</p> <p>6 in your report states that "regarding</p> <p>7 symptomatology, there is no direct</p> <p>8 correlation between histologic findings and</p> <p>9 clinical presentation due to the fact that</p> <p>10 pain is a complex process influenced by</p> <p>11 anatomical, chemical and psychosocial</p> <p>12 factors."</p> <p>13 Do you see that, Doctor?</p> <p>14 A. Yes, I do.</p> <p>15 Q. Now, we had talked before about</p> <p>16 the ability to correlate histologic</p> <p>17 findings with clinical history. Do you</p> <p>18 recall that conversation?</p> <p>19 A. Yes, I do.</p> <p>20 Q. And that at least in practice</p> <p>21 before this litigation, you had seen</p> <p>22 instances where there was an ability to</p> <p>23 correlate histological findings with a</p> <p>24 clinical presentation of erosion.</p>

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<p>1 patient responsible for that complication</p> <p>2 as opposed to the mesh?</p> <p>3 MR. COMBS: Object to form.</p> <p>4 A. No. What I am trying to say is</p> <p>5 that yes, there are patients that do not</p> <p>6 have a comorbidity and have complications,</p> <p>7 but there are patients that do have</p> <p>8 comorbidities and those interact or those</p> <p>9 have a bearing into the complications.</p> <p>10 Q. You are -- on a case-specific</p> <p>11 female patient basis --</p> <p>12 A. Right.</p> <p>13 Q. -- in this litigation, you would</p> <p>14 look at their other medical conditions.</p> <p>15 A. Yes, I would.</p> <p>16 Q. In looking at the literature that</p> <p>17 identifies complication rates or pathology</p> <p>18 findings for explanted mesh, is it your</p> <p>19 opinion that any woman in those studies</p> <p>20 that had explanted mesh suffered some</p> <p>21 underlying comorbidity?</p> <p>22 A. I'm not understanding what you</p> <p>23 are saying. You are generalizing as if I</p> <p>24 am saying that every woman needs to have a</p>	<p>1 Q. You are familiar with that</p> <p>2 article?</p> <p>3 A. Yes, I am.</p> <p>4 Q. It is on your reliance list.</p> <p>5 A. Yes, it is.</p> <p>6 Q. You understand that that article</p> <p>7 was published in 2015?</p> <p>8 A. I guess that's correct.</p> <p>9 Q. And it may have reached online</p> <p>10 publication in 2014, but the -- there is no</p> <p>11 reference in that article of all 130 of</p> <p>12 those women who had explanted mesh</p> <p>13 suffering some underlying comorbidity,</p> <p>14 correct?</p> <p>15 A. Right. In that particular</p> <p>16 article, that's not what she compared.</p> <p>17 Q. It is not your position as an</p> <p>18 expert in this matter that any woman who</p> <p>19 suffers a quality-of-life complication</p> <p>20 after being implanted with Ethicon's mesh</p> <p>21 is suffering that because they have an</p> <p>22 underlying comorbidity?</p> <p>23 A. No, that's not my opinion.</p> <p>24 Q. So now we get to Prolene Soft</p>
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<p>1 comorbidity to have those complications.</p> <p>2 That's not what I am saying.</p> <p>3 Q. That's what I wanted to</p> <p>4 understand.</p> <p>5 So you told us that you have</p> <p>6 opinions that are based upon review of five</p> <p>7 specific cases in this matter, correct?</p> <p>8 A. Right, correct.</p> <p>9 Q. But likewise, you recognize that</p> <p>10 there is literature, for example, the</p> <p>11 article by Hill that studied some 130</p> <p>12 population patients with explanted mesh,</p> <p>13 correct?</p> <p>14 A. Right.</p> <p>15 Q. And looked at the histology from</p> <p>16 that explanted mesh for women who had been</p> <p>17 diagnosed with urinary dysfunction --</p> <p>18 A. Dysfunction and the pain.</p> <p>19 Q. -- and then with pain, correct?</p> <p>20 A. Correct.</p> <p>21 Q. And wanted to compare the</p> <p>22 inflammatory response seen in those</p> <p>23 populations.</p> <p>24 A. Right.</p>	<p>1 properties, Doctor, and I want to just move</p> <p>2 through this.</p> <p>3 You state that "Prolene Soft Mesh</p> <p>4 with its large pore size facilitates the</p> <p>5 passage of fibroblasts in the deposition</p> <p>6 and integration of the patient's collagen</p> <p>7 into the framework." That is the</p> <p>8 mesh-tissue matrix framework we have been</p> <p>9 describing earlier, correct?</p> <p>10 A. Correct, yes.</p> <p>11 Q. This is the process of tissue</p> <p>12 ingrowth which you were describing?</p> <p>13 A. Correct, yes.</p> <p>14 Q. Obviously, tissue ingrowth into</p> <p>15 the gross mesh is different than just the</p> <p>16 healing response to a cut or a trauma?</p> <p>17 A. Yes, that is correct.</p> <p>18 Q. The basis for your opinion</p> <p>19 regarding pore size of the Prolene Soft</p> <p>20 Mesh, is that from a document that you were</p> <p>21 provided from Ethicon?</p> <p>22 A. I was provided with articles that</p> <p>23 speak about the properties of Prolene Soft.</p> <p>24 Q. And in an article specifically</p>

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<p>1 times 170 hours would be the amount of</p> <p>2 billing that you have made to Ethicon for</p> <p>3 your review?</p> <p>4 A. Right.</p> <p>5 MR. PERDUE: Phil, again, it</p> <p>6 wouldn't surprise me that that may</p> <p>7 break out by individual case. So in</p> <p>8 fairness, you may want to produce the</p> <p>9 invoices.</p> <p>10 And to the extent that they can</p> <p>11 be supplemented through counsel,</p> <p>12 Dr. Abadi, I think by agreement of</p> <p>13 counsel, we will just put that on the</p> <p>14 record.</p> <p>15 MR. COMBS: We will forward those</p> <p>16 invoices.</p> <p>17 Q. Have you reviewed any materials</p> <p>18 related to either polypropylene mesh,</p> <p>19 Ethicon mesh or your opinions in this case</p> <p>20 which are not identified on the reliance</p> <p>21 list?</p> <p>22 A. No.</p> <p>23 Q. In Appendix B to your report,</p> <p>24 there are a series of comments. Are these</p>	<p>1 and described those findings then in</p> <p>2 Appendix A?</p> <p>3 A. Right. I also included pictures</p> <p>4 of polypropylene that were not part of the</p> <p>5 litigation.</p> <p>6 Q. Where is that?</p> <p>7 A. For example, figure 5 talks about</p> <p>8 a polypropylene suture that was found in a</p> <p>9 CABG, and it was not given to me by</p> <p>10 Ethicon.</p> <p>11 Q. What is the source -- it looks</p> <p>12 like 5, 6, are images related to a</p> <p>13 polypropylene suture used in a coronary</p> <p>14 artery bypass graft?</p> <p>15 A. Correct.</p> <p>16 Q. What is the source of that image?</p> <p>17 A. The source is an autopsy.</p> <p>18 Q. From where?</p> <p>19 A. From Jacobi Medical Center. It</p> <p>20 is a case of mine.</p> <p>21 Q. This was a case of yours?</p> <p>22 A. Correct. That it is not --</p> <p>23 independent from Ethicon, just to</p> <p>24 illustrate that the reaction for the suture</p>
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<p>1 your written commentary regarding specific</p> <p>2 figures from Dr. Iakovlev?</p> <p>3 A. Yes, that is correct.</p> <p>4 Q. And then Appendix A, are these</p> <p>5 then the images of figures on which you're</p> <p>6 commenting in Appendix B?</p> <p>7 A. No. The Appendix A are figures</p> <p>8 that I took, photographs that I took</p> <p>9 myself.</p> <p>10 Q. Appendix A are photographs that</p> <p>11 you took yourself from the pathology</p> <p>12 samples that Ethicon provided for your</p> <p>13 review?</p> <p>14 A. Correct.</p> <p>15 Q. So when we have talked today</p> <p>16 about the basis for your opinions in this</p> <p>17 matter, again, the pathological samples of</p> <p>18 explanted mesh that form the basis for your</p> <p>19 opinions were the five that were sent to</p> <p>20 you by Ethicon, correct?</p> <p>21 A. Yes.</p> <p>22 Q. And then you -- so you took</p> <p>23 representative samples, I guess, from those</p> <p>24 five, put markers or arrows on the images,</p>	<p>1 is the same as the same mesh. And that the</p> <p>2 patient had a perfect CABG. His cause of</p> <p>3 death was unrelated to cardiac -- you know,</p> <p>4 the bypass.</p> <p>5 And there was the same Bard,</p> <p>6 so-called Bard Dr. Iakovlev talks about,</p> <p>7 you can see there it has no adverse</p> <p>8 reaction to the patient. Same like with</p> <p>9 the inflammation; it is the same</p> <p>10 inflammation that you see in the mesh.</p> <p>11 Q. This is inflammation of cardiac</p> <p>12 tissue around a suture?</p> <p>13 A. Correct.</p> <p>14 Q. And is it you, Dr. Abadi, who is</p> <p>15 comparing the inflammatory response to</p> <p>16 cardiac tissue around a suture to the</p> <p>17 experience of the response of female pelvic</p> <p>18 tissue to a mesh?</p> <p>19 A. What I was trying to compare is</p> <p>20 that polypropylene, regardless of whether</p> <p>21 it is mesh or suture, has a very similar</p> <p>22 reaction.</p> <p>23 Q. OK.</p> <p>24 A. So in other words, the -- when --</p>

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Page 178	Page 180
1 CERTIFICATE	1
2 STATE OF NEW JERSEY)	2 - - - - -
3)ss:	3
4 COUNTY OF UNION)	4 PAGE LINE CHANGE
5 I, MARY F. BOWMAN, a Registered	5
6 Professional Reporter, Certified	6 REASON: _____
7 Realtime Reporter, and Notary Public	7
8 within and for the State of New Jersey,	8 REASON: _____
9 do hereby certify:	9
10 That MARIA A. ABADI, M.D., the	10 REASON: _____
11 witness whose deposition is	11
12 hereinbefore set forth, was duly sworn	12 REASON: _____
13 by me and that such deposition is a	13
14 true record of the testimony given by	14 REASON: _____
15 such witness.	15
16 I further certify that I am not	16 REASON: _____
17 related to any of the parties to this	17
18 action by blood or marriage and that I	18 REASON: _____
19 am in no way interested in the outcome	19
20 of this matter.	20 REASON: _____
21 In witness whereof, I have	21
22 hereunto set my hand this 1st day of	22 REASON: _____
23 April, 2016.	23
24 _____	24 REASON: _____

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1 INDEX	1 ACKNOWLEDGMENT OF DEPONENT
2	2
3	3 I, _____, do
4 Examination by Mr. Perdue 4	4 hereby certify that I have read the
5 Examination by Mr. Combs 168	5 foregoing pages, and that the same is
6	6 a correct transcription of the answers
7 EXHIBIT INDEX	7 given by me to the questions therein
8 NUMBER DESCRIPTION PAGE	8 propounded, except for the corrections or
9 Exhibit 1 Expert report of Maria Abadi 4	9 changes in form or substance, if any,
10 Exhibit 2 Curriculum vitae of Maria	10 noted in the attached Errata Sheet.
11 Abadi	11
12 Exhibit 3 List of depositions and trials 4	12
13 Exhibit 4 Supplemental Reliance List in 4	13
14 Addition to Materials Provided	14 MARIA A. ABADI, M.D. DATE
15 in Report	15
16 Exhibit 5 Hill article 146	16
17	17 Subscribed and sworn
18	18 to before me this
19	19 _____ day of _____, 20 ____.
20	20 My commission expires: _____
21	21
22	22 Notary Public
23	23
24	24

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